

ROBERT BENNETT
Avenida Paseo de la Reforma, 27, Interior 911
Colonia Tabacalera
Ciudad de México, México 06030
Tel: 52-55-5035-8515

Defendant

FILED

MAR - 1 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTHERN CALIFORNIA

JADEADA GARLIP, et al.

Plaintiffs,

v.

ROBERT BENNETT,

Defendant.

Case No. 18-CV-06917-WHO

DEFENDANT ROBERT BENNETT'S
OBJECTION TO PLAINTIFFS'
REMAND MOTION

Date: February 25th 2019

The diversity jurisdiction statute confers jurisdiction in cases where the parties are citizens of different states and where the amount in controversy exceeds the sum of \$75,000. 28 U.S.C. § 1332. In this action pending before this Court, opposing counsel has mailed moving papers to this Defendant in Mexico City [Mexico]. By doing so, Plaintiffs have acquiesced to at the very least this one defendant being within the jurisdiction of Mexico – which is the gravamen of diversity. It is without dispute that moving papers have been sent to Mexico by opposing counsel and have been received in Mexico by this defendant. (*see* ECF 9, page 4)

Also, the one other defendant in this action has consented to the removal of the action to this Court. This other defendant is also within the jurisdiction of Mexico and the State of Nevada as stated in the consent to removal. (*see* ECF 9, page 2) As such, removal to this Court is proper predicated on diversity of citizenship.

Dated: February 25th 2019

Respectfully submitted,



Robert Bennett, Defendant

PROOF OF SERVICE

On February 25th 2019, I Juan Lopez, deposited at an office of the Correos de Mexico a copy of "Defendant Robert Bennett's Objection to Plaintiffs' Remand Motion" for mailing with postage prepaid to opposing counsel directed to the following address:

Erik Bauman
Law Offices of Andrew Serros
2120 University Avenue, # 730
Berkeley, California 94704-1026 USA

Dated: February 25th 2019

/s/
Juan Lopez